

LYNCHBURG CITY COUNCIL

Agenda Item Summary

MEETING DATE: **July 12, 2005**

AGENDA ITEM NO.: 10

CONSENT:

REGULAR: **X**

CLOSED SESSION:

(Confidential)

ACTION: **X**

INFORMATION:

ITEM TITLE: Consideration of a Local Historic District (HD) Zoning Designation for an area to be known as the Pierce Street Renaissance Historic District

RECOMMENDATION: Adoption of an ordinance to establish the Pierce Street Renaissance Historic District

SUMMARY: The Historic Preservation Commission (HPC) recommended approval of a local historic district (HD) zoning designation for an area to be known as the Spencer-Johnson Renaissance Historic District for all properties fronting on the 1300 and 1400 blocks of Pierce Street and including the properties at 1518 and 1600 Fourteenth Street. The HPC held informational meetings on January 24, 2005 and on April 25, 2005 to address questions and concerns of the property owners.

The Planning Commission received a petition signed by 15 persons opposing the proposed historic district. Nine (9) of those who signed the petition did not own property within the proposed historic district boundaries. The Planning Commission recommended approval of the petition

On May 10, 2005 City Council postponed the matter to a work session on June 28, 2005.

At the City Council work session, a recommendation was made to change the proposed name from the Spencer-Johnson Renaissance Historic District to Pierce Street Renaissance Historic District. Action on the matter was postponed until the meeting of July 12, 2005.

PRIOR ACTION(S):

March 21, 2005: Historic Preservation Commission unanimously recommended approval (7-0)

April 13, 2005: Planning Commission unanimously recommended approval (7-0)

May 10, 2005: City Council postponed the matter to a work session on June 28 (7-0)

June 28, 2005: City Council postponed action until the July 12, 2005 meeting (6-0 with Councilman Gillette absent)

FISCAL IMPACT: N/A

CONTACT(S):

Rachel Flynn/ 455-3902

Tom Martin/ 455-3909

Annette Chenault/455-3894

ATTACHMENT(S):

- Ordinance
- Survey of Property Owner Support, Opposition and No Response
- Map
- Prior Council Report

REVIEWED BY: lkp

ORDINANCE

AN ORDINANCE DESIGNATING A CERTAIN AREA FOR LOCAL HISTORIC DISTRICT (HD) ZONING TO BE KNOWN AS THE PIERCE STREET RENAISSANCE HISTORIC DISTRICT.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG, that in order to promote the public necessity, convenience, general welfare, and good zoning practice that Chapter 35.1 of the Code of the City of Lynchburg, 1981, as amended, be and the same is hereby amended by adding thereto Section 35.1-76.____, which section shall read as follows:

Section 35.1-76.____. Designation of a certain area for Local Historic District (HD) zoning to be known as the Pierce Street Renaissance Historic District.

The area embraced within the following boundaries . . .

All those tracts or parcels of land lying and being in the City of Lynchburg, Virginia and having frontage on the 1300 and 1400 Blocks of Pierce Street, generally bounded by Thirteenth Street to the north, 1300 – 1422 Pierce Street to the east, Fifteenth Street to the south and 1301 – 1423 Pierce Street to the west; more specifically described as:

1300 Pierce Street also assigned as:	Tax Map No. 02612001;
1301-03 Pierce Street, also assigned as:	Tax Map No. 02613003;
1306 Pierce Street, also assigned as:	Tax Map No. 02612015;
1309 Pierce Street, also assigned as:	Tax Map No. 02613004;
1310 Pierce Street, also assigned as:	Tax Map No. 02612014;
1311 Pierce Street, also assigned as:	Tax Map No. 02613005;
1312 Pierce Street, also assigned as:	Tax Map No. 02612013;
1313 Pierce Street, also assigned as:	Tax Map No. 02613006;
1314 Pierce Street, also assigned as:	Tax Map No. 02612012;
1316 Pierce Street, also assigned as:	Tax Map No. 02612011;
1317 Pierce Street, also assigned as:	Tax Map No. 02613007;
1321 Pierce Street, also assigned as:	Tax Map No. 02613008;
1322 Pierce Street, also assigned as:	Tax Map No. 02612010;
1408 Pierce Street, also assigned as:	Tax Map No. 02617012;
1409 Pierce Street, also assigned as:	Tax Map No. 02616005;
1410 Pierce Street, also assigned as:	Tax Map No. 02617011;
1411 Pierce Street, also assigned as:	Tax Map No. 02616006;
1415 Pierce Street, also assigned as:	Tax Map No. 02616007;
1417 Pierce Street, also assigned as:	Tax Map No. 02616008;
1419 Pierce Street, also assigned as:	Tax Map No. 02616009;
1422 Pierce Street, also assigned as:	Tax Map No. 02617010;
1423 Pierce Street, also assigned as:	Tax Map No. 02616010;
1518 Fourteenth Street, also assigned as:	Tax Map No. 02617001, and
1600 Fourteenth Street, also assigned as:	Tax Map No. 02616004.

. . . is hereby designated as a Local Historic District (HD) zone to be known as the Pierce Street Renaissance Historic District.

And the Director of Community Planning and Development shall forthwith cause the “Historic District Map of Lynchburg” referred to in Section 35.1-44.1 of this chapter to be amended in accordance therewith.

Adopted:

Certified:

Clerk of Council

098L

PROPOSED PIERCE STREET RENAISSANCE HISTORIC DISTRICT
PROPERTY OWNER SUPPORT, OPPOSITION AND NO RESPONSE

SUPPORT

Thomas J., Sr. and Jean Cardwell	1300 Pierce St. (OO)*
Anna M. Spencer	1301-03 Pierce St.
Chauncey E. and Anna Spencer	1306 Pierce St. (OO)
Wayside Gospel Church Exec. Bd.	1309 Pierce St.
Clarence E. and Geraldine Patrick	1311 Pierce St. (OO)
Anne Spencer Memorial Found.	1313 Pierce St.
Viola and Orlando Hilton	1314 Pierce St.
Keith T. and Shelva Morrow	1321 Pierce St.
Lange Johnson	1422 Pierce St.**
Julian Johnson	1422 Pierce St.**
Herminia Walthall Hendricks	1518 Fourteenth St.**

OPPOSITION

Thomas Jones	1312 Pierce St. (OO)
Maggie Coleman	1316 Pierce St. (OO)
Alvin D. and Faye Elliott	1317 Pierce St.
Herman Walthall	1322 Pierce St. (OO)
	1518 Fourteenth St.**
Julius W. and Karen Hopkins	1410 Pierce St.
Robert Johnson	1422 Pierce St.**

NO RESPONSE

Halt, LLC	1310 Pierce St.
Alan McCarty	1408 Pierce St.
Imelia and Samantha Culpepper	1409 Pierce St.
Bernice Cunningham	1411 Pierce St.***
Charlie A. and Velma Elliott	1415 Pierce St.***
	1417 Pierce St.***
	1600 Fourteenth St.***
Tony West	1419 Pierce St.***
	1423 Pierce St.

*(OO) owner-occupied

** mixed support among owners of the same property

*** vacant property

The Department of Community Planning & Development

City Hall, Lynchburg, VA 24504 434-455-3900

To: Planning Commission
From: Historic Preservation Commission
Date: April 13, 2005
Re: Consideration of a Local Historic District (HD) Zoning Designation for an Area to be Known as the Spencer-Johnson Renaissance Historic District (formerly proposed to be called the Diamond Hill South Historic District)

I. PETITIONER

Historic Preservation Commission, In care of Department of Community Planning & Development, 900 Church Street, Lynchburg, VA 24504

Representative: Henry C. Devening, Chair, Historic Preservation Commission, In care of Department of Community Planning & Development, 900 Church Street, Lynchburg, VA 24504

II. LOCATION

The petition includes all properties fronting on the 1300 and 1400 blocks of Pierce Street and including the properties known as 1518 and 1600 Fourteenth Street.

Property Owners: See Appendix B on back of Vicinity Map.

III. PURPOSE

The purpose of the petition is to consider a Local Historic District (HD) zoning designation for an area to be known as the Spencer-Johnson Renaissance Historic District (formerly proposed to be called the Diamond Hill South Historic District) for all properties fronting on the 1300 and 1400 blocks of Pierce Street and including the properties known as 1518 and 1600 Fourteenth Street.

IV. SUMMARY

- Petition agrees with the Comprehensive Plan's Goals for History, Culture, Education and the Arts:
 - To "Preserve significant historic and cultural resources through the collaborative efforts of the City; historic and cultural groups"... "and other local, state and federal preservation groups and organizations."
 - To "Ensure that future development, redevelopment, and public improvements complement the scale and character, and respect the integrity of, designated historic districts and areas potentially eligible for designation."
- Petition agrees with Greenhorne & O'Mara, Inc.'s Historic Architectural Survey – Diamond Hill South Report, dated April 1994 that recommends properties in this area for nomination to the National Register of Historic Places and the Virginia Landmarks Register as a separate Diamond Hill South Historic District.
- Petition agrees with Greenhorne & O'Mara's recommendation to designate most of the Diamond Hill South Historic District as one or more local historic districts.
- Petition agrees with National Register Criteria for Evaluation.
 - Criterion A: Properties that are associated with events that have made significant contribution to the broad patterns of our history;
 - Criterion B: Properties that are associated with the lives of persons significant in our past;
 - Criterion C: Properties that embody the distinctive characteristics of a type, period or method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction.

V. Impact

Designating the subject properties as a Local Historic District would:

- Preserve and protect the buildings from inappropriate future alterations;
- Assure that new construction on the vacant lots would be done in character and appropriate designs and standards for this historic district;
- Bring recognition of the historical importance of this neighborhood to the City;
- Make available certain monetary incentives that are exclusive to locally designated historic districts.

The Planning Division recommends approval of the petition.

PLANNING DIVISION RECOMMENDED MOTION

Based on the preceding Findings of Fact, the Planning Commission recommends to the City Council approval of the petition of the Historic Preservation Commission for a local Historic District (HD) zoning designation for an area to be known as the Spencer-Johnson Renaissance Historic District for all properties fronting on the 1300 and 1400 blocks of Pierce Street and including the properties known as 1518 and 1600 Fourteenth Street.

This matter is respectfully offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. R. Douglas Dejarnette, Fire Marshal
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Kent White, Senior Planner
Mr. Robert S. Fowler, Zoning Official
Mr. Keith A. Wright, Zoning Official
Ms. Annette M. Chenault, Planner II

VI. ATTACHMENTS

1. HPC Report dated March 21, 2005
2. HPC Minutes of March 21, 2005
3. Appendix A: Descriptions of Buildings Within the Proposed Spencer-Johnson Renaissance Historic District (formerly proposed to be called the Diamond Hill South Historic District)
4. Map Showing the Proposed Historic District Boundaries
(see attached map)
5. Appendix B: Property Owners in the 1300 and 1400 Blocks of Pierce Street and Within 200'
6. Appendix C: Pierce Street History
7. E-mail from Jolynn Smith dated March 21, 2005
8. E-mail from Ron Williams dated March 21, 2005
9. Photographs of the 1300 and 1400 blocks of Pierce Street

MINUTES FROM THE APRIL 13, 2005 PLANNING COMMISSION MEETING

Consideration of a local Historic District (HD) zoning designation for an area to be known as the Spencer-Johnson Renaissance Historic District for all properties fronting on the 1300 and 1400 blocks of Pierce Street and including the properties known as 1518 and 1600 Fourteenth Street

Mr. Martin said the report spoke for itself, and that both the staff and the Historic Preservation Commission (HPC) recommended approval of designating this area as a local historic district. He indicated that Ms. Annette Chenault, Planner II, had been working with the neighborhood working toward designation, which save an existing property that is in dire need of attention. He added that Ms. Chenault could answer any questions concerning the petition.

Ms. Annette Chenault told the Planning Commission that the chair of the Historic Preservation Commission would speak to the request.

Mr. Henry C. Devening, 322 Overstreet Lane, Chair of the HPC, explained the petition. Mr. Devening said a member of the HPC requested that the Pierce Street area be designated as a historic district after the Chauncey Spencer plaque dedication. He explained that Spencer, one of the Tuskegee AirMen, was only one of several notable Lynchburg citizens who lived in that area. He said an HPC public hearing was held on March 21, where the petition was met with some opposition, primarily due to restrictions concerning exterior modifications to the dwellings. However, he added, there was no opposition to the idea that these two blocks of the City should be designated historic. Mr. Devening explained that historic designation could depend on architectural uniqueness or worthiness of buildings or it could depend on the people who lived there. In this case, he continued, this request was due to the people who lived there. He continued by saying that Renaissance poet, Anne Spencer, mother of Chauncey Spender lived there, as well as Dr. Walter Johnson who was instrumental in Arthur Ash and Althea Gibson's tennis careers. He said the Spencer and the Johnson families were both behind this effort, and the HPC voted unanimously to recommend approval of the designation to the Planning Commission.

Mr. Hugh Jones, 1563 Lexington Drive, explained that he was the current Chair of the Board of the Anne Spencer House Museum and Garden, and added that the Board endorsed and supported the designation of the proposed area as a historical district. He said the goals of the Spencer House Museum and Garden's Board was to maintain the neighborhood and the Anne Spencer house as it was when she lived there.

Commissioner Pulliam shared that he had received a call from the chairperson of the Lynchburg Historical Foundation (LHF) stating the Foundation's support for this request.

Ms. Anna Howard Spencer, 1306 Pierce Street, spoke in support of the petition. Ms. Spencer commented that Anne Spencer and her son, Spencer, were very important citizens in Lynchburg and the United State. She said many years ago Pierce Street was a very quiet, respectful street, and should be remembered for the people who lived there, not for the drug area that it is currently known as.

Ms. Sandra Wilson, 5316 Hickory Hill Drive, said she was a member of the Anne Spencer Board, the Chief Gardner, and a docent. She said she was interested in the area being designated historic since her first days of working with the Spencer Museum. She added that the area had a very rich and round history, which was tied with the Lynchburg Seminary, and should be expanded. Ms. Wilson said she hoped that this two block area was designated a historic district, and that whatever name it was given should be clear to the area, which was a very happening street.

Mrs. Geraldine Patrick, 1311 Pierce Street, spoke in favor of the petition. Mrs. Patrick said it was a great idea to designate the two blocks historic.

Ms. Faye James, 37 Lake Forest Place, owner of 1307 Pierce Street, explained that her property was next door to the Anne Spencer home. Ms. James read a letter signed by fourteen (14) residents of the 1300 and 1400 blocks of Pierce Street and neighboring area stating their opposition to the historic designation. She said the people who signed the letter were not only concerned about making changes to the exterior of their homes, but also about making those two blocks a historic district. She continued that Mrs. Spencer was a wonderful woman and deserved all of the praise being given to her. She added that she did not know Dr.

Johnson, but knew that he had done wonderful things for the area and his house should probably be made a historic landmark. Ms. James said her families had lived on the street longer than any other families currently living there.

Commissioner Worthington asked Ms. James to clarify that if the main opposition was not because of having to obtain approval for exterior improvements, then what was the basis for the opposition.

Ms. James responded that several of the homes had already changed from what they were originally. She added that many of the homeowners were on fixed incomes and worked hard to keep their homes up and retain a quiet neighborhood. She said they did not understand why all of the homes had to be included when the Spencer and Johnson homes were the only homes that were worthy of being designated historic.

Mr. Thomas Jones, 1312 Pierce Street, spoke in opposition of the petition. He said the homeowners felt that they would have no rights to work on their own homes if they had to get permission from the HPC.

Commissioner Pulliam explained that historic districts were not as restrictive as most people thought. He said historic designation actually protects homeowners, and added that many changes could be approved administratively by Ms. Chenault without going to the HPC. Commissioner Pulliam noted property values increase and the whole area improves when it is designated historic.

Mr. Herman Walthall, 1322 Pierce Street, spoke in opposition to the petition. He said he was on a fixed income and wondered what kind of financial output would be involved with living in a historic district.

Mr. Thomas Pennix, 1516 Fourteenth Street, spoke in opposition to the petition. He said the property owners should have their own rights to work on their homes without having to obtain permission.

Mrs. Ora Elliott, 1317 Pierce Street, explained that her children owned the home she lived in, and added that she had lifetime rights to live there. She said she was on a fixed income and did her best to keep the property in good shape, as she was responsible for the upkeep of the home and property. She said she was concerned with the litter and drug dealing on the street, and added that these issues should be looked at, too, before the area was designated historic.

Mr. Devening gave a rebuttal. He told the commission that he had been involved in historic districts since 1976 and added that it had been a remarkable success story, adding that every time a historic district had been designated, there had been positive changes in the area. He said a couple of years ago they were hearing the same concerns when Rivermont Avenue was proposed for historic designation, and all indications were that it had been a tremendous success. He added that one way to combat the drug dealing was to breathe life into the neighborhood, and thought in passing this proposal the Dr. Johnson house would be completely restored and visited frequently, which would bring in the type of exposure that drug dealers did not want. He said there were no requirements for anyone to make unnecessary changes to their home. Mr. Devening said there were a lot of misconceptions as to monetary constraints put on the homeowner.

Commissioner Pulliam suggested to the property owners that if the petition were approved they should consider forming a neighborhood association and enlist the help from the Planning Department and the Police Department.

Chair Dahlgren asked if the proposed names had been researched and registered.

Mr. Devening said he did not think the name of the proposed historic district had gone beyond the HPC and the Planning Commission. He said they probably should do a name search to be sure they were not in violation.

Commissioner Flint asked what type of financial help was available to historic property owners.

Mr. Devening explained that there were tax credits automatically available for both commercial and residential properties in historic districts. He said the property had to be improved by at least sixty (60) percent. He continued by saying that a new roof, porch, foundation, heating and air conditioning most likely would boost the value by at least sixty (60) percent, and the homeowner would receive twenty-five (25)

percent of every dollar invested as a tax credit. Additionally, he added, there are low interest loans and community grants. Mr. Devening said there could be some expenses involved in doing the paperwork.

Ms. Chenault added that in order to be eligible for tax credits the house had to be deemed contributing to the history / architecture of the historic district, and there were several structures within those blocks that are not contributing.

Commissioner Hamilton asked how designation applied to homeowners of not-contributing structures.

Ms. Chenault explained that a homeowner would be held by restrictions of the era in which their home was constructed. She added that if the home were a 1950 or 1960 brick ranch, then any upgrades would be made for that style and year of home. Ms. Chenault said the non-contributing home would not qualify for tax credits.

Mr. Devening added that because those homes were non-contributing structures, there would be very little that the HPC would have to say about any updates.

Chair Dahlgren confirmed that if a property did not qualify, then the homeowner could do basically what they wanted to.

Ms. Chenault said as long as any exterior changes were in line with the era of the construction of the house, those changes would be appropriate. She used the YMCA on Church Street as an example, noting that the YMCA was constructed in the 1950's, so any changes made to that building would be in keeping with the style of structures built during that same time.

Commissioner Barnes asked if in past cases when historic districts have been designated, has the HPC done follow-up meetings with residents of the area. He continued that in discussion at this meeting the implications of being in a historic area seems a little complicated. He said is there any outreach or education for the affected residents.

Mr. Devening explained that every member of the Commission was assigned a particular district to be an advocate for. He continued that if the area had a historic district association and they meet with the advocate occasionally on invitation, meets with individual property owners to address questions, Ms. Chenault spends many hours each day fulfilling that same function for all of the districts in the City, but each advocate is there to be the sounding board.

Ms. Chenault added that the initial contact with the property owners is a letter within that district giving them the information of who to contact, the web address, their advocate.

Chair Dahlgren asked why only two blocks.

Ms. Chenault explained that several years ago the Diamond Hill South survey identified over two-hundred (200) structures in that neighborhood that was eligible for the National Register. She said the reason they started with the 1300 and 1400 blocks was due to the Spencer Family contacted the City asking that these two blocks be designated historic. She said at one time the 1300 block of Pierce housed every member of the Anne Spencer family. She added that they wanted 1400 block included because of the significance of the Dr. Johnson house and to give it protection.

Chair Dahlgren used Cabell Street as an example of something being designated and what happens in the neighborhood with the street and with the homes. He said he had been watching the changes on Cabell for sometime.

Commissioner Hamilton asked if this request did not pass what sort protection would the homeowners have to combat the negative happenings in the area. She asked if historic designation really reduced crime in the neighborhoods.

Ms. Chenault said some of the neighborhoods have Neighborhood Watch groups. She added that the Historic District Coalition had already contacted members of the Pierce Street neighborhood to offer their help and

help them start to form a historic group. She said she could not give any statistics concerning reduced crime in historic districts.

Chair Dahlgren said he sympathized with the neighborhood. He said if this petition passed, there should be more of an effort put forth to educate the homeowners on what their benefits could be.

Ms. Chenault said since she was an advocate for the historic districts, people came to her all of the time asking for help getting rid of abandon vehicles, overgrown weeds, and trash in yards. She said a historic district would be improved just because she watched over them in many ways other than just exterior changes to the structures.

Commissioner Worthington said he was sensitive to the homeowners in opposition to the petition. He said no one wanted to be told what to do with their own property. He continued that there was no guarantee for historic districts, but there seemed to be a tendency to stabilize property values and stop the deterioration of the neighborhood. He said it may be a sacrifice at first, but worth it in the long run.

Commissioner Flint asked Ms. Wilson approximately how many people visited the Anne Spencer House each year.

Ms. Wilson responded that the number varied, but approximately 1,000 year, and added that it would be many more if they were able to restore the house. She said the Anne Spencer House was the one that needed more work and restoration than any other house in the two block area.

Commissioner Pulliam commented that change was not great, but in his personal experience, the area that he lived in has only improved over the last twenty (20) years.

Commissioner Barnes said he was impressed with the background of the area, and added that it would be hard to imagine a more historic two-block area in Lynchburg than this. He said for that reason alone he was in favor of the petition. Commissioner Barnes did say that he was concerned with the level of opposition from the residents and understood some of their concerns. He said designation as a historic area would call attention to the area, and potentially may deal with some of the crime issues. He added that he hoped there would be follow up to inform the residents as to what their opportunities would be in being historic.

Commissioner Flint voiced his support the proposal to make the two blocks on Pierce Street a historic district. He said it would add to the property values of the neighborhood, would increase tourism, and would probably cause the police department to pay more attention to the area, hopefully lowering the crime in the area.

Commissioner Hamilton explained that coming in to this meeting she did not see any reason to designate the entire two blocks historic. However, she added, she has now been educated about the history of the proposed district, the non-conforming structures, and the responsibility of the homeowners. She echoed Commissioner Barnes' comments that the residents needed to be informed about the pluses of being in a historic district.

Commissioner Pulliam made the following motion, which was seconded by Commissioner Hamilton and passed by the following vote:

"That the Planning Commission recommends to the City Council approval of the petition of the Historic Preservation Commission for a local Historic District (HD) zoning designation for an area to be known as the Spencer-Johnson Renaissance Historic District for all properties fronting on the 1300 and 1400 blocks of Pierce Street and including the properties known as 1518 and 1600 Fourteenth Street."

AYES:	Barnes, Dahlgren, Flint, Hamilton, Pulliam, Worthington	6
NOES:		0
ABSTENTIONS:		0
ABSENT:	Bacon	1

The Department of Community Planning & Development
City Hall, Lynchburg, VA 24504 **434-455-3900**

To: Historic Preservation Commission
From: Secretary
Date: March 21, 2005
Re: **CONSIDERATION OF A LOCAL HISTORIC DISTRICT (HD) ZONING DESIGNATION FOR AN AREA TO BE KNOWN AS THE DIAMOND HILL SOUTH HISTORIC DISTRICT FOR ALL PROPERTIES FRONTING ON THE 1300 AND 1400 BLOCKS OF PIERCE STREET AND INCLUDING THE PROPERTIES KNOWN AS 1518 AND 1600 FOURTEENTH STREET**

I. SYNOPSIS

The Historic Preservation Commission (HPC) is considering a local historic district (HD) zoning designation for an area to be known as the Diamond Hill South Historic District for all properties fronting on the 1300 and 1400 blocks of Pierce Street and including the properties known as 1518 and 1600 Fourteenth Street.

II. SUMMARY

- Petition agrees with the Comprehensive Plan's Goals for History, Culture, Education and the Arts:
 - To "Preserve significant historic and cultural resources through the collaborative efforts of the City; historic and cultural groups"... "and other local, state and federal preservation groups and organizations."
 - To "Ensure that future development, redevelopment, and public improvements complement the scale and character, and respect the integrity of, designated historic districts and areas potentially eligible for designation."
- Petition agrees with Greenhorne & O'Mara, Inc.'s Historic Architectural Survey – Diamond Hill South Report, dated April 1994 that recommends properties in this area for nomination to the National Register of Historic Places and the Virginia Landmarks Register as a separate Diamond Hill South Historic District.
- Petition agrees with Greenhorne & O'Mara's recommendation to designate most of the Diamond Hill South Historic District as one or more local historic districts.
- Petition agrees with National Register Criteria for Evaluation.
 - Criterion A: Properties that are associated with events that have made significant contribution to the broad patterns of our history;
 - Criterion B: Properties that are associated with the lives of persons significant in our past;
 - Criterion C: Properties that embody the distinctive characteristics of a type, period or method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction.
- The HPC may wish to consider naming the proposed Historic District by a name other than "Diamond Hill South." Diamond Hill is the name of an existing Historic District.
- It is questionable whether including the large number of vacant lots and non-contributing buildings in the 1400 block can be justified if challenged under the standards for delineating boundaries of a historic district.

The Planning Division recommends approval of the petition.

III. FINDINGS OF FACT

Background.

1. Petitioner. The Historic Preservation Commission (HPC), In care of Annette M. Chenault, Secretary to the HPC, 900 Church Street, Lynchburg, VA 24504

Representative. Henry C. Devening, Chair, HPC, 900 Church Street, Lynchburg, VA 24504

2. **Location.** The subject properties are located on both sides of the 1300 and 1400 blocks of *Pierce Street* and include 1518 and 1600 *Fourteenth Street*.
3. **Purpose.** The purpose of the petition is consider a local historic district (HD) zoning designation for an area to be known as the Diamond Hill South Historic District for all properties fronting on the 1300 and 1400 blocks of *Pierce Street* and including the properties known as 1518 and 1600 *Fourteenth Street*.
4. **Zoning.** The subject properties are zoned R-3, Medium Density, Single-Family Residential District. This petition does not propose to change the existing zoning but proposes a historic district overlay zone for the properties.
5. **Waivers.** No variances or waivers will be needed for the request.
6. **Development and History.** In 1992, through a Certified Local Government Program grant, the City contracted with Greenhorne & O'Mara, Inc., to perform a historic architectural survey for an area to be known as "Diamond Hill South." The survey grew out of a request by the City and the Virginia Department of Historic Resources as to whether the neighborhood might satisfy the National Register of Historic Places criterion. The survey generally encompassed the area bounded by Twelfth Street to the north, Federal Street to the east, the Lynchburg Expressway to the south and Kemper Street to the west.

The survey area was found to possess the necessary architectural and historical significance for listing on the National Register and the Virginia Landmarks registers. Recommendations were for (1) nomination of most of the survey area to the Federal and state registers; (2) nomination of six individual resources to the Federal and state registers; and (3) designation by the City of most of the Diamond Hill South survey area as one or more local historic districts.

At the time of the survey, one historic resource, the Anne Spencer House at 1313 *Pierce Street* was already listed in the local, state and National registers

7. **Proposal to Designate part of Pierce Street as a Local Historic District Zone.** On Saturday, November 6, 2004, a ceremony was held and a Virginia highway marker installed at 1306 *Pierce Street* to honor the memory of Chauncey Edward Spencer, Sr., an aviator who helped African-Americans gain entrance to the Army Air Corps in World War II. Mrs. Anna Spencer, Chauncey Spencer's widow, and other family members inquired of Annette Chenault, Secretary to the HPC, about preserving and protecting the street from further alterations and deterioration. In response to this inquiry, at its meeting on November 15, the HPC requested the Secretary to begin procedures for local historic district designation of the 1300 and 1400 blocks of *Pierce Street*.

The HPC held an informational meeting on January 24, 2005, inviting all property owners in the 1300 and 1400 blocks of *Pierce Street*. As a result of the meeting, the HPC voted to proceed with the public hearing process.

8. **The Comprehensive Plan 2002-2020.** The Comprehensive Plan 2002-2020 "Goals for History, Culture, Education and the Arts" provide:

Goal 1 is to "Preserve significant historic and cultural resources through the collaborative efforts of the City; historic and cultural groups"...and other local, state and federal preservation groups and organizations." Objective 1.A is to "expand efforts to survey, document, and preserve historic sites and structures..."

Goal 3 of the Comprehensive Plan is to "Ensure that future development, redevelopment, and public improvements complement the scale and character, and respect the integrity of, designated historic districts and areas potentially eligible for designation." Designating the subject properties as a local historic district would be one of the first steps in accomplishing this goal.

9. **Description of the Proposed Diamond Hill South Historic District.** The proposed Diamond Hill South Historic District encompasses all properties fronting on the 1300 and 1400 blocks of *Pierce Street*. Two of these lots have a *Fourteenth Street* address but also have frontage on *Pierce Street*. The proposed historic district contains 19 buildings with two accessory structures. It includes mostly residential properties but also includes a church and two stores that are not currently in

operation. The 1400 block contains several vacant parcels with the Dr. R. Walter Johnson House and Tennis Courts at the far end at 1422 Pierce Street. The proposed historic district would be the City's seventh historic district and the smallest in area and number of buildings. It would have the potential to expand to one of the largest.

See Appendix A for a description of each building.

- 10. Justification of Boundaries.** The subject properties are located in the northwest corner of what the consultants Greenhorne & O'Mara called the Diamond Hill South Neighborhood. The Diamond Hill South Neighborhood boundaries were originally established for survey purposes and not by any particular defined criteria.

In its report, Historic Architectural Survey Diamond Hill South, Greenhorne & O'Mara found that the portion of the survey area located south and southwest of Grace Street possessed the necessary architectural and historical significance for listing in the National Register of Historic Places and the Virginia Landmarks Register as a separate Diamond Hill South Historic District. The recommendation was made based on the National Register Criteria for Evaluation, as follows:

- Criterion A: Properties that are associated with events that have made significant contribution to the broad patterns of our history;
- Criterion B: Properties that are associated with the lives of persons significant in our past;
- Criterion C: Properties that embody the distinctive characteristics of a type, period or method of construction or that represent a significant and distinguishable entity whose components may lack individual distinction.

Greenhorne & O'Mara also recommended that most of the Diamond Hill South Historic District should be designated as one or more local historic districts. Within the survey area, the consultants noted that the Dr. R. Walter Johnson House and Tennis Courts are eligible as an individual resource for the National Register of Historic Places and the Virginia Landmarks Register. The Report also noted the properties at 1300 and 1306 Pierce Street as worthy of further study for eligibility in the state and National historic registers.

Based on A Guide to Delineating Edges of Historic Districts, by the National Trust for Historic Preservation, there are several factors to consider in determining the boundaries of a potential historic district. The boundaries for the proposed Diamond Hill South Historic District were based on the following factors:

- An architectural survey. An architectural and historic resources survey and map are valid when the survey is recognized as an official planning document.
- Boundaries are drawn to include properties fronting on both sides of a street.
- Rear property lines have been used as valid edges to the district, especially when it is the intent of the ordinance to control the character of development on both sides of a boundary street
- For ease in administration, a series of sub districts might be delineated.

The boundaries for the proposed Diamond Hill South Historic District are not intended to be an all encompassing historic district but part of a district that may be expanded to include other buildings of similar architecture and history at some point in the future.

The buildings within the 1300 block of Pierce Street are mostly intact with some minor alterations. The 1400 block, however, has several vacant lots and non-contributing buildings. Consideration should be given to whether the 1400 block should be designated a historic district. Designating the entire block would protect the Dr. R. Walter Johnson House and Tennis Courts at the far (southeastern) end of the block. It would also offer protection against further inappropriate construction. It is questionable whether designating the vacant lots and non-contributing buildings in the 1400 block can be justified if challenged under the standards for delineating boundaries of a historic district.

11. Proposed Name of the Diamond Hill South Historic District The HPC may wish to consider identifying the proposed historic district by a name other than "Diamond Hill South." Diamond Hill is the name of an existing historic district. Other proposed names that could be considered are "Camp Davis Historic District" and "Spencer Heights Historic District."

IV. PLANNING DIVISION RECOMMENDED MOTION

Based on the proceeding findings of fact, the Historic Preservation Commission recommends to the Planning Commission approval of the petition to designate an area to be known as the Diamond Hill South Historic District for all properties fronting on the 1300 and 1400 blocks of Pierce Street and including the properties known as 1518 and 1600 Fourteenth Street.

This matter is respectfully offered for your consideration.

Annette M. Chenault
Planner II and Secretary to the HPC

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Ms. Rachel O. Flynn, Director of Community Planning & Development
Mr. William T. Martin, City Planner
Mr. R. Douglas Dejarnette, Fire Marshal
Mr. J. Lee Newland, Director of Engineering
Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Arthur L. Tolley, Zoning Official
Mr. Robert S. Fowler, Zoning Official

V. ATTACHMENTS

- 1. Appendix A Description of Buildings**
(see attached map by Community Planning & Development)

HISTORIC PRESERVATION COMMISSION
MINUTES OF THE
MARCH 21, 2005 MEETING

PUBLIC HEARING

Consideration of a local Historic District (HD) zoning designation for an area to be known as the Diamond Hill South Historic District for all properties fronting on the 1300 and 1400 blocks of Pierce Street and including the properties known as 1518 and 1600 Fourteenth Street.

Chair Devening summarized the petition and asked for those who wanted to speak in favor of the petition to come forward.

Hugh Jones, Chairman of the Anne Spencer House and Garden Museum, spoke in favor of the request. He said the matter was on the Board's agenda at its March meeting, and it unanimously supported the local historic designation. He said strictly from a historical perspective, the neighborhood deserves the recognition. He added that he did not know of any other place in Virginia that contains two historical markers across the street from each other and derived from the same family—Anne Spencer and Chauncey Spencer. He submitted a list of properties in the proposed historic district area and historical facts about them. He said he was not aware that an alternate name for the district was being considered and, if the HPC requested, he would consult the Board and submit suggestions.

Sally Schneider, Executive Director of the Lynchburg Historical Foundation, Inc., spoke in favor of the petition. She said the LHF Board of Directors unanimously supports this designation. She said the LHF has been working with the Dr. R. Walter Johnson family for the past few years to save the house. Recently, the LHF and the City of Lynchburg jointly made application to nominate this property to Virginia's Most Endangered Properties List.

Anne Spencer, 1306 Pierce Street, spoke in favor of the request. She said she was the widow of Chauncey Spencer. She said she was speaking on behalf of Chauncey Spencer who worked very hard to preserve Pierce Street. She had promised him that she would continue to protect this neighborhood so that the people who were so important and gave so much to the city would be remembered. She noted that information on Chauncey Spencer's life and works are in the Smithsonian Institution in Washington, D.C. She said the family wanted more of the neighborhood to be protected but supported the two blocks at this time. She said on behalf of the Spencer family who lived on Pierce Street for more than 100 years, she supported the designation. Ms. Spencer suggested that the word "renaissance" be used in the name of the district since Anne Spencer was closely associated with the Harlem Renaissance period.

Chair Devening asked for those who wanted to speak in opposition to the petition to come forward.

Faye J. Elliott, 1317 Pierce Street, said she was opposed to the designation because she felt that too many of the houses had been altered to the point that they no longer qualified for historic designation. She said the house at 1322 was built in the late 60s and is not historic. Others have been altered with inappropriate siding, and the Warrick Spencer store building is in poor condition. She said she was concerned about people who were on a fixed income being required to replicate their houses according to the way they were originally built. She said the Spencer houses and the Johnson House should be historic but not the whole area.

Thomas Jones, 1312 Pierce Street, spoke in opposition to the request. He said he did not like the idea of someone telling him what to do with his property. He was concerned about window replacement and what the HPC would require. Myer Waxler, 123 Cabell Street, and Linda Campbell, L. J. Campbell Properties, volunteered their comments on types of windows and their availability.

Anne Spencer spoke in rebuttal to Ms. Elliott's comments and said the entire neighborhood is not proposed to be designated, just two blocks.

Ms. Chenault read e-mails from Jolynn Smith, Dr. Johnson's granddaughter, dated March 21, 2005 and Ron Williams (member of the Spencer family) dated March 21, 2005 that expressed support for the designation.

Chair Devening explained that property owners would not be required to make changes to their houses and that any existing inappropriate alteration to a house could remain until the property owner chose to change it. Ms. Elliott responded that she was more concerned about the requirements for new improvements rather than repairs. Chair Devening said there would be an effort to preserve the existing architectural features of the building.

Commissioner Fischer said he was concerned about misconceptions about the Historic Preservation Commission and its duties.

The public hearing was closed.

Vice Chair Glass said he recognized concerns about aspects of historic district designation but said that one has to give up something in order to get something. He said the families who have lived there for decades deserve the right to have their properties protected.

Commissioners Calhoun, Fischer and Fogleman expressed their support of the designation.

Commissioner Harvey said it was important to remember how surrounding elements helped to benefit and support the two main historic houses. He said historic district designation would honor all the people in the neighborhood.

Commissioner Mundy said at the informational meeting, the HPC discussed its role, and a majority of the property owners present were supportive of the designation. He also said historically property values increase, and he supported the designation.

Chair Devening said he agreed with Commissioner Harvey in that all people in the neighborhood played a role in its history, and it is a source of pride. He supported the designation.

After further discussion, Commissioner Fischer made the following motion, which was seconded by Commissioner Calhoun and passed by the following vote:

"That the HPC hereby recommends to the Planning Commission and City Council approval of a local Historic District (HD) zoning designation for all properties fronting on the 1300 and 1400 blocks of Pierce Street and including the properties known as 1518 and 1600 Fourteenth Street."

AYES:	Calhoun, Devening, Fischer, Fogleman, Glass, Harvey, Mundy	7
NOES:		0
ABSTENTIONS:		0

After discussion, Commissioner Mundy made the following motion, which was seconded by Commissioner Glass and passed by the following vote:

"That the HPC hereby recommends to the Planning Commission and City Council the Spencer-Johnson Renaissance Historic District as the name for the new historic district."

AYES:	Calhoun, Devening, Fischer, Fogleman, Glass, Harvey, Mundy	7
NOES:		0
ABSTENTIONS:		0

Ms. Chenault gave tentative public hearing dates for the Planning Commission on April 13, 2005 and City Council on May 10, 2005.

DESCRIPTIONS OF BUILDINGS WITHIN THE PROPOSED DIAMOND HILL SOUTH HISTORIC DISTRICT

- a. 1300 Pierce Street – Contributing* Classic, two-story gable roofed brick *Georgian*. Contains gable-roofed brick garage. Historic Significance: Home of Clarence W. Seay, long-time principal of Dunbar High School, Lynchburg Vice-Mayor and Civic leader.
- b. 1301-03 Pierce Street – Contributing store with living quarters built 1867; two-story clapboard with brick commercial front *Vernacular*. Historic Significance: Typical late 19th century store built on land known as Camp Davis, named after Jefferson Davis. This land is where the Confederate soldiers enlisted into the Army to fight in the Civil War. The store was built by William Calloway and called Calloway's Store. It was the first minority-owned and operated store in Lynchburg. Edward Spencer (Chauncey Spencer's father) later was a partner in the store. It is currently not occupied.
- c. 1306 Pierce Street – Contributing house built in 1919; imposing, two-story *American Four-Square* covered with pebble-dash stucco. Historic Significance: Home of Chauncey Edward Spencer, Sr., (1906-2002) an aviator who helped African-Americans gain entrance to the Army Air Corps in World War II. He was one of the first members of the National Airmen's Association which later became known as the Tuskegee Airmen. Mr. Spencer lived there from 1977 until his death August 21, 2002. His widow Anna Howard Spencer lives there today. Built by Garrett H. Thornhill, well known African-American plaster contractor.
- d. 1309 Pierce Street – Contributing church "Wayside Gospel Temple Church of God in Christ" built ca. 1890; one-story frame/shingled *Vernacular*. Historic Significance: A good example of the many small scale churches built in the African-American area of the City. The Church, originally named "Peaceful Baptist Church," was first used as a community building, known as "Calloway Hall," and was living quarters for homeless ex-slaves.
- e. 1310 Pierce Street – Contributing house built ca. 1900; one-story *Vernacular* German siding covered with vinyl siding.
- f. 1311 Pierce Street – Contributing house built ca. 1900; two-story *Shingle Style/American Four-Square*. Good example of the nationally popular style. Home of Nelson Payne, Chauncey Spencer's uncle.
- g. 1312 Pierce Street – Contributing house built ca. 1900; two-story *American Four-Square* frame covered with vinyl siding. Good example of nationally popular domestic style.
- h. 1313 Pierce Street – Contributing house built 1903; two-story *Modified Queen Anne*. The property is currently listed in the National Register of Historic Places and the Virginia Landmarks Register. It was listed in Lynchburg's local Historic Register on February 14, 1978. The area immediate behind the house was once occupied by a garage; the concrete flooring remains. The long, narrow garden, which was laid out and tended by Mrs. Spencer, extends through the block to the street behind. There is a small, one-room shingled cottage

named "Edankraal," in the garden at the east end. The house and cottage are virtually unchanged, inside and out. The property contains a Virginia Historic Landmarks Commission sign commemorating Anne Spencer. Historic Significance: Anne Spencer (1881-1975) was a lyric poet of considerable talent. Being both an African-American and a woman, her early achievement of recognition from her intellectual peers was a remarkable feat. Anne Bannister Spencer enrolled in the Virginia Seminary and Normal School in 1893 and graduated in 1899, valedictorian of her class. In 1901 she married Edward Alexander Spencer and in 1903 moved into their new home at 1313 Pierce Street. She was the first librarian of Dunbar High School. Visitors to the Spencer's house

included well-known fellow poets, vocalists, civil rights leaders such as W.E.B. DuBois, Martin Luther King, Jr., and Walter White, the scientist George Washington Carver and public figures as Thurgood Marshall. The first NAACP chapter organized in Virginia was chartered in 1917 in the Spencer's home.

- i. 1314 Pierce Street – Contributing house built ca. 1900; two-story frame *Vernacular*. Good example of Vernacular dwelling of early 1900s.
- j. 1316 Pierce Street – Contributing house built ca. 1900; two-story frame *Vernacular Queen Anne*. Virtually unaltered in appearance. Good example of Vernacular Queen Anne residence.
- k. 1317 Pierce Street – Contributing house built ca. 1910; two-story *Shingle Style* covered with vinyl. It was the home of Warrick Spencer, Jr., Chauncey Spencer's uncle.
- l. 1321 Pierce Street – Non-Contributing house built ca. 1900; two-story *Vernacular*. Typical Vernacular dwelling of early 1900s but substantially altered with false stone and vinyl. This house, known as the Spencer Mansion House, was the home of Warrick Spencer, Sr., and his wife Mary and their family.
- m. 1322 Pierce Street – Non-Contributing house built ca. 1970; one-story brick *Rancher*.
- n. 1408 Pierce Street – Non-Contributing house built ca. 1970; one-story brick *Rancher* with aluminum/vinyl trim.
- o. 1409 Pierce Street – Non-Contributing house built in 1997; one-story, wood frame dwelling with vinyl siding.
- p. 1410 Pierce Street – Non-Contributing house built 1920; one-story wood frame with vinyl siding and extensive alterations. (Greenhorne & O'Mara, Inc., Reconnaissance Survey had listed this house as constructed in the 1970s, but the Assessor's records have the house built in 1920. Other sources indicate that the 1920 date may be more accurate.)
- q. 1411 Pierce Street – vacant.
- r. 1415 Pierce Street – vacant.
- s. 1419 Pierce Street – vacant.
- t. 1423 Pierce Street – Contributing grocery store built 1910; two-story *Vernacular*. Altered with vinyl siding; vertical vinyl siding on front façade. Historic Significance: One of several corner grocery stores in the neighborhood.
- u. 1422 Pierce Street – Contributing house built 1911; two-story *American Four-Square*. Architectural Significance: Designed by James T. McLaughlin, a former partner of the architect Stanhope Johnson. Also contains a gable-roofed cottage, perhaps used as a small garage. No apparent alterations to the house or cottage. The former tennis court (built ca. 1933) is located on a full city lot to the west of the house. The fence, nets and score posts have been removed from this double court, but two of the metal nets posts remain. The properties contain a plaque and a stone marker commemorating Dr. R. Walter Johnson. Historic Significance: Home of Dr. Robert Walter Johnson (1899-1972), well-known locally as a prominent surgeon and nationally as the tennis coach of such legends as Arthur Ashe, Althea Gibson and Juan Farrow. He founded the Junior Development Program of the American Tennis Association (the "Negro League" of tennis).
- v. 1518 Fourteenth Street – Contributing house built ca. 1900; two-story *Vernacular*. Typical early 20th century dwelling. Alterations with aluminum siding. Non-Contributing cinderblock garage at rear (facing Fourteenth Street).
- w. 1600 Fourteenth Street – vacant

*"Contributing" means that the building has historical and/or architectural significance and is part of the justification for the petition.

PROPOSED PIERCE STREET RENAISSANCE HISTORIC DISTRICT
PROPERTY OWNER SUPPORT, OPPOSITION AND NO RESPONSE

SUPPORT

Thomas J., Sr. and Jean Cardwell	1300 Pierce St. (OO)*
Anna M. Spencer	1301-03 Pierce St.
Chauncey E. and Anna Spencer	1306 Pierce St. (OO)
Wayside Gospel Church Exec. Bd.	1309 Pierce St.
Clarence E. and Geraldine Patrick	1311 Pierce St. (OO)
Anne Spencer Memorial Found.	1313 Pierce St.
Viola and Orlando Hilton	1314 Pierce St.
Keith T. and Shelva Morrow	1321 Pierce St.
Lange Johnson	1422 Pierce St.**
Julian Johnson	1422 Pierce St.**
Herminia Walthall Hendricks	1518 Fourteenth St.**

OPPOSITION

Thomas Jones	1312 Pierce St. (OO)
Maggie Coleman	1316 Pierce St. (OO)
Alvin D. and Faye Elliott	1317 Pierce St.
Herman Walthall	1322 Pierce St. (OO)
	1518 Fourteenth St.**
Julius W. and Karen Hopkins	1410 Pierce St.
Robert Johnson	1422 Pierce St.**

NO RESPONSE

Halt, LLC	1310 Pierce St.
Alan McCarty	1408 Pierce St.
Imelia and Samantha Culpepper	1409 Pierce St.
Bernice Cunningham	1411 Pierce St.***
Charlie A. and Velma Elliott	1415 Pierce St.***
	1417 Pierce St.***
	1600 Fourteenth St.***
Tony West	1419 Pierce St.***
	1423 Pierce St.

*(OO) owner-occupied

** mixed support among owners of the same property

*** vacant property

**PIERCE STREET RENAISSANCE
HISTORIC DISTRICT**

1300, 1400 BLOCKS OF PIERCE STREET

MAP PREPARED BY
THE DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT



Subject Property

